

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

LYNK LABS, INC.,

Plaintiff,

v.

HOME DEPOT USA, INC., THE
HOME DEPOT INC., and HOME
DEPOT PRODUCT AUTHORITY,
LLC,

Defendants.

Case No. 1:21-cv-05021-VMC

JURY TRIAL DEMANDED

JOINT STATUS REPORT

Pursuant to this Court’s January 4, 2024 Order [D.I. 89], Plaintiff Lynk Labs, Inc. (“Lynk Labs”) and Defendants Home Depot USA, Inc., The Home Depot, Inc. and Home Depot Product Authority, LLC (collectively, “Home Depot”) submit this Joint Status Report to update the Court regarding the *inter partes* review and post-grant review proceedings (collectively, the “post-grant actions”) pending before the U.S. Patent & Trademark Office (“USPTO”) challenging the validity of all of Lynk Labs’ asserted patent claims.

The USPTO invalidated all asserted patent claims from 7 of the 9 patents-in-suit which Lynk Labs has accused Home Depot of infringing – U.S Patent Nos.

10,757,783, 10,349,479, 10,154,551, 10,492,251, 10,091,842, 10,537,001, and 10,517,149 – in Final Written Decisions in the post-grant actions. Lynk Labs either did not appeal these decisions, or the appeals have now been dismissed. Home Depot separately appealed the USPTO’s determination in IPR2022-00023 sustaining unasserted claim 2 of U.S. Patent No. 10,517,149 to the Federal Circuit Court of Appeals, and the appellant’s brief has been submitted. Oral argument and a decision in that appeal are expected later this year.

The USPTO has invalidated all asserted claims from U.S. Patent No. 10,932,341 (the “’341 Patent”). Lynk Labs has appealed certain of the grounds from the USPTO’s final written decision in PGR2022-00009 to the Federal Circuit Court of Appeals, and the appellant and appellee briefs have been submitted. Oral argument and a decision in that appeal are expected later this year.

The USPTO has invalidated asserted claims 7, 9, 10, and 11 and sustained asserted claim 13 from U.S. Patent No. 10,652,979 (the “’979 Patent”). Lynk Labs and Samsung Electronics both took appeals of the USPTO’s final written decision in PGR2022-00009, which appeals have now been dismissed.

The parties jointly request that the Court enter an Order continuing the stay of the above-captioned action until such time as the above-referenced appeals are complete. The parties intend on submitting a further status report to the Court within thirty (30) days of completion of the last such appeal.

DATED: January 24, 2024

Respectfully submitted,

/s/ Nicholas G. Papastavros

Christopher G. Campbell

DLA PIPER LLP (US)

Georgia Bar No. 789533

1201 West Peachtree Street, Suite 2900

Atlanta, GA 30309

Tel: 404.736.7800

Fax: 404.682.7800

christopher.campbell@dlapiper.com

Nicholas G. Papastavros (admitted *pro hac vice*)

DLA PIPER LLP (US)

33 Arch Street, 26th Floor

Boston, MA 02110-1447

Tel: 617.406.6000

Fax: 617.406.6100

nick.papastavros@dlapiper.com

Brian K. Erickson

Jennifer Librach Nall

DLA PIPER LLP (US)

303 Colorado Street, Suite 3000

Austin, TX 78701

Tel: 512.457.7125

Fax: 512.457.7001

brian.erickson@dlapiper.com

jennifer.nall@us.dlapiper.com

ATTORNEYS FOR DEFENDANTS
HOME DEPOT USA, INC., THE HOME
DEPOT INC., AND HOME DEPOT
PRODUCT AUTHORITY, LLC

/s/ Darlene F. Ghavimi

Darlene F. Ghavimi (admitted *pro hac vice*)

K&L GATES LLP

2801 Via Fortuna, Suite 650

Austin, Texas 78746

Telephone: (512) 482-6800

darlene.ghavimi@klgates.com

Jim A. Shimota (admitted *pro hac vice*)

Devon C. Beane (admitted *pro hac vice*)

K&L GATES LLP

70 West Madison Street, Suite 3300

Chicago, Illinois 60602

Telephone: (312) 372-1121

Fax: (312) 827-8000

jim.shimota@klgates.com

devon.beane@klgates.com

Steven G. Hill

GA Bar No. 354658

HILL, KERTSCHER

& WHARTON, LLP

3625 Cumberland Blvd, SE, Suite 1500

Atlanta, Georgia 30339

Telephone: (770) 953-0995

Facsimile: (770) 953-1358

Email: sgh@hkw-law.com

Email: jln@hkw-law.com

Email: md@hkw-law.com

Attorneys for Plaintiff Lynk Labs, Inc.

LOCAL RULE 7.1(D) CERTIFICATION

The undersigned counsel hereby certifies that the foregoing document was prepared in Times New Roman 14-point font, pursuant to Local Rule 5.1(B).

January 24, 2024

/s/ Nicholas G. Papastavros
Nicholas G. Papastavros

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing document was electronically filed with the Clerk of the Court using the CM/ECF system, which will automatically send email notification of such filing to the attorney(s) of record in this case.

January 24, 2024

/s/ Nicholas G. Papastavros
Nicholas G. Papastavros